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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Andrew J. SzaboApplication No./Patent No.: 09/400,649Filed/Issue Date: September 21, 1999Titled: NUTRITIONAL OPTIMIZATION SYSTEM AND METHODSmeaton Pump LLC, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015980, Frame 0031, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

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☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Michael J. Donohue, Reg. #35,859/

July 9, 2009

Signature

Date

Michael J. Donohue

Attorney of Record

Printed or Typed Name


Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(1)

Patent Assignment Assignee Details

Assignee Name : SMEATON PUMP LLC**Total Assignments: 1****Assignment: 1****Reel/Frame:** 015980 / 0031 [View Recorded Assignment](#) **Pages:** 3**Received:** 11/17/2004**Recorded:** 11/15/2004**Mailed:** 05/09/2005**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor****1** SZABO, ANDREW**Exec Dt:** 07/09/2004**Assignee****1** SMEATON PUMP LLC

171 MAIN STREET, #271

LOS ALTOS, CALIFORNIA 94022

Properties

| App # | PCT # | Pat # | Pub # | App # | PCT # | Pat # | Pub # |
|-----------------|-------|----------------|-------|-----------------|-------|-------|-------|
| <u>08671413</u> | NONE | <u>5954640</u> | NONE | <u>09400649</u> | NONE | NONE | NONE |

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OMB No. 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE
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To the Director of the U.S. Patent and Trademark Office: Please record the attached documents of the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Andrew Szabo

Execution Date(s) 07/09/2004

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other

2. Name and address of receiving party(ies)

Name: Smeaton Pump LLC

Internal Address:

Street Address: 171 Main Street, #271

City: Los Altos

State: CA

Country: USA Zip: 94022

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application of patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

09/400,649

B. Patent No.(s)

5,954,640

11/16/2004 6TOM11 00000229 09400649

01 FC:802

80.00 DP

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Steven M. Hoffberg

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City: White Plains

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6. Total number of applications and patents involved:

2

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 80.00

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers

Expiration Date

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Authorized User Name Steven M. Hoffberg

9. Signature:

Signature

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Steven M. Hoffberg

Name of Person Signing

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